HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

Coram :- HON'BLE SHRI H.L. DATTU, CJ &
HON'BLE SHRI V.K. SHRIVASTAVA, J.

WRIT PETITION NO. 963 OF 2001

PETITIONER

State of Chhattisgarh through its Secretary, Department of Finance, Mantralaya, D.K. Bhawan, Raipur (CG).

Verus

RESPONDENT

S.R. Mahate, s/o. Late Shri Ganesha Mahate, r/o. F-2, Anand Nagar, Minakshi Chowk, Hoshangabad, working as Dy. Director (Finance) in the O/o. Directorate of Treasury and Accounts, Shankar Nagar, Raipur (CG).

PRESENT:

Shri Sumesh Bajaj, Govt. Advocate for the petitioner/State.
Shri R.M. Solapurkar, counsel for the respondent.

ORAL ORDER

(Passed on 12th March 2007)

The following oral order of the Court was passed by H.L. Dattu, C.J.

This petition filed by the State of Chhattisgarh against the order passed by the State Administrative Tribunal, Bhopal, ("the Tribunal" for short,) in O.A.No. 2605/2000 dated 13-02-2001. By the impugned order, the Tribunal has granted certain reliefs to the applicant in the said application.

2) By way of preliminary objection, learned counsel appearing for the respondent in this writ petition would submit that the respondent is no more in the service of the State of Chhattisgarh, therefore, the State of Chhattisgarh cannot be aggrieved party against the orders passed by the Tribunal.

3) Admittedly, the order that was passed in O.A.No. 2605/2000 was against the State of M.P. and not the State of Chhattisgarh, and since the respondent herein is no more in the service of State of Chhattisgarh, State of Chhattisgarh can not be aggrieved party.

4) In view of the above, the petition filed by the State of Chhattisgarh against the order passed by the Tribunal in O.A.No. 2605/2000 cannot be entertained by us. Accordingly, the petition is rejected since the State of Chhattisgarh is not aggrieved party.

Ordered accordingly.

Sd/-
V.K. Shrivatava
Judge

Sd/-
Chief Justice